

EXHIBIT 1

HIGHLY CONFIDENTIAL

Manion, Scott Martin

April 2, 2014

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: PROCESSED EGG PRODUCTS)
ANTITRUST LITIGATION)
) MDL No. 2002
) 08-md-02002
) HIGHLY
THIS DOCUMENT RELATES TO:) CONFIDENTIAL
Kraft Foods Global, Inc., et al.,)
v. United Egg Producers, Inc.,)
et al., No. 2:12-cv-00088-GP)

The highly confidential videotaped discovery deposition of KRAFT FOODS GLOBAL, INC., by and through Scott Martin Manion, taken in the above-entitled cause, before Deralyn Gordon, a notary public of Cook County, Illinois, on the 2nd day of April, 2014, at 353 North Clark Street, Chicago, Illinois, beginning at approximately 9:01 a.m., pursuant to Notice.

REPORTED BY: DERALYN GORDON, CSR, RPR, CRR
LICENSE NO: 084-003957

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| <p style="text-align: right;">182</p> <p>1 record at 2:43 p.m. 2 EXAMINATION 3 BY MR. CAMPBELL: 4 Q. Mr. Manion, do you recall defendant's 5 counsel asked you if you had sought requests from 6 Sparboe and Rembrandt? 7 A. Yes. 8 Q. And you said yes. 9 But she prefaced that question by asking 10 during the relevant period. 11 During the relevant period, which is 2008, 12 1999 to 2008, did you have contact with Sparboe or 13 Rembrandt? 14 A. No. 15 Q. Okay. Would you -- I show you what is 16 marked as Manion Exhibit 11, which is a supply 17 agreement between Kraft and Rose Acre. Do you 18 recall you were shown that document? 19 A. Yes. 20 Q. It's right here, Scott. 21 And counsel for defendant asked, referring 22 to Exhibit A -- 23 I think that's it, is it not? 24 A. This is Exhibit A, yes. 25 Q. Yeah.</p> | <p style="text-align: right;">184</p> <p>1 Q. Is there any mention of the Urner Barry 2 certified market index in Exhibit 14, your 3 contract with Michael Foods? 4 A. No. 5 Q. Do you recall you were asked a series 6 of questions about when you first considered a 7 grain-based index? Do you recall that? 8 A. Yes. 9 Q. When did you first consider it? 10 And I emphasize the word consider it as 11 opposed to adopting a grain based? 12 A. We were evaluating grain-based models in 13 2008 and 2009. 14 Q. But not before that, correct? 15 A. Not before that. 16 MR. CAMPBELL: All right. I have no 17 further questions. 18 Katie? 19 MS. CLAIR: No. No further questions. 20 MR. CAMPBELL: John or Sharon, do you have 21 any questions? 22 MR. MONICA: Nothing from John. 23 MS. MARKOWITZ: No. 24 MR. CAMPBELL: Thank you all. 25 THE VIDEOGRAPHER: Going off the record at</p> |
| <p style="text-align: right;">183</p> <p>1 -- asked if Kraft purchased 100 percent 2 of its products during the contract period from 3 Rose Acre. Do you remember that? 4 A. Yes. 5 MS. CLAIR: Objection, misstates prior 6 testimony. 7 BY MR. CAMPBELL: 8 Q. Is that correct? Did Kraft purchase all 9 of its products from Rose Acre during that period 10 or are only those products for those plants 11 identified in Exhibit A? 12 A. Only those products from those plants. 13 Q. I show you what has been marked -- what 14 was marked as Manion Deposition Exhibit 14, which 15 is a contract dated July 1, 2007, between Kraft 16 and Michael Foods. 17 And if you'll turn to the Bates page 18 ending in 49, and look at the pricing -- the 19 paragraph entitled "Price." Do you see that? 20 A. Yes. 21 Q. And do you recall that defendant's 22 counsel asked you whether or not your contract 23 with Rose Acre at a certain point in time was 24 based upon the Urner Barry certified market index? 25 A. Yes.</p> | <p style="text-align: right;">185</p> <p>1 2:47 p.m. This concludes the videotaped 2 deposition of Mr. Manion. 3 (Whereupon proceedings were 4 adjourned.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> |

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| <p style="text-align: right;">186</p> <p>1 ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3 I, _____, do hereby</p> <p>4 acknowledge that I have read and examined the</p> <p>5 foregoing testimony, and the same is a true, correct</p> <p>6 and complete transcription of the testimony given by</p> <p>7 me, and any corrections appear on the attached Errata</p> <p>8 Sheet signed by me.</p> <p>9</p> <p>10</p> <p>11</p> <p>12 _____ (DATE) (SIGNATURE)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">188</p> <p>1 foregoing deposition was not waived by counsel for</p> <p>2 the respective parties.</p> <p>3 I further certify that the taking of this</p> <p>4 deposition was pursuant to Notice, and that there</p> <p>5 were present at the deposition the attorneys</p> <p>6 hereinbefore mentioned.</p> <p>7 I further certify that I am not counsel for</p> <p>8 nor in any way related to the parties to this</p> <p>9 suit, nor am I in any way interested in the</p> <p>10 outcome thereof.</p> <p>11 IN TESTIMONY WHEREOF: I have hereunto set my</p> <p>12 hand and affixed my notarial seal this 10th day of</p> <p>13 April, 2014.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18 _____ Notary Public, Cook County, Illinois</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |
| <p style="text-align: right;">187</p> <p>1 STATE OF ILLINOIS)</p> <p>2) SS:</p> <p>3 COUNTY OF C O O K)</p> <p>4 I, Deralyn Gordon, a notary public within and</p> <p>5 for the County of Cook and State of Illinois, do</p> <p>6 hereby certify that heretofore, to-wit, on the 2nd</p> <p>7 of April, 2014, personally appeared before me at</p> <p>8 353 North Clark Street, Chicago, Illinois,</p> <p>9 KRAFT FOODS GLOBAL, INC., by and through</p> <p>10 Scott Martin Manion, in a cause now pending and</p> <p>11 undetermined in the United States District Court</p> <p>12 for the Eastern District of Pennsylvania,</p> <p>13 In Re: Processed Egg Products Antitrust</p> <p>14 Litigation.</p> <p>15 I further certify that the said witness</p> <p>16 was first duly sworn to testify the truth, the</p> <p>17 whole truth and nothing but the truth in the cause</p> <p>18 aforesaid; that the testimony then given by said</p> <p>19 witness was reported stenographically by me in the</p> <p>20 presence of the said witness, and afterwards</p> <p>21 reduced to typewriting by Computer-Aided</p> <p>22 Transcription, and the foregoing is a true and</p> <p>23 correct transcript of the testimony so given by</p> <p>24 said witness as aforesaid.</p> <p>25 I further certify that the signature to the</p> | |

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